

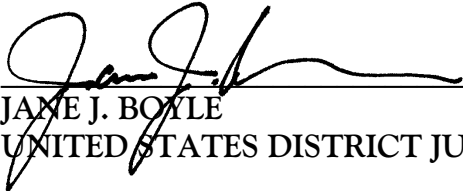
- Request Permission from the Court to File these Arguments, Statements of Facts (doc. 18)
- Request Permission from the Court to File this Statement of Fact (doc. 19)
- Request Permission from the Court to File Objection to the 2 Year Time Limitation, Time Barred (doc. 20)
- Request Permission from the Court to File and Objection Against the Finding of the Magistrate Judge (doc. 21)
- Request Permission from the Court to File a Objection, that Plaintiff does not Meet the Two Year Limitations (doc. 23)

The Court considers these filings to be Objections to the Findings, Conclusions, and Recommendation of the Magistrate Judge (doc. 17) and **GRANTS** Plaintiff's requests that the Objections included with these filings be considered by the Court (docs. 18, 19, 20, 21, and 23). The Court has considered the Objections and attached Statements of Fact in considering the Findings, Conclusions, and Recommendation of the Magistrate Judge. See Fed. R. Civ. P. 72(b)(2).

After reviewing the Objections to the November 6, 2008 Findings, Conclusions, and Recommendation of the United States Magistrate Judge and after conducting a *de novo* review of those parts of the Findings, Conclusions, and Recommendation to which Objections have been made, Plaintiff's Objections (doc. 18, 19, 20, 21, and 23) are **OVERRULED**. The Court is of the opinion that the Findings, Conclusions, and Recommendation of the Magistrate Judge (doc. 17) are correct and they are accepted as the Findings of the Court. Therefore, it is **ORDERED, ADJUDGED, and DECREED** that this action is **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b) and that this dismissal counts as a "strike" or "prior occasion" within the meaning of 28 U.S.C. § 1915(g).¹

SO ORDERED.

SIGNED January 5, 2009



JANE J. BOYLE
UNITED STATES DISTRICT JUDGE

¹ Section 1915(g), which is commonly known as the "three-strikes" provision, provides:

In no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under this section, if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.